

**Progress Report
Joint Meeting
Plumbing Advisory Code Council (PACC) and PACC Stormwater Workgroup
Tuesday, June 22, 2004
9:00 am – 2:30 pm**

**Tommy G. Thompson Commerce Center
1st Floor Conf. Room
201 W. Washington Ave., Madison**

Attendees:

Member Name / Representing	P/A	Staff	P/A
Biesek, Art / League of WI Municipalities	P	Docken, Lynita	P
Boehnen, Thomas	P	MacCubbin, Jean	P
Davis, Jim / Technical Advisor	P	Miller, Jim	P
Kowalke, Gary / Plumbing Contractors	A	Stanlick, Harold	P
Krowski, Mark / City of Milwaukee	P	Mike Beckwith	P
Kuhn, Jeff / Plbg. & Mech. Heating Contractors	Ex	Dan Kraft	P
Macejkovic, Steve / Technical Advisor	P	Jim Zickert	P
McCullough, Clint / Plumbing Contractors	A	Stormwater Workgroup	
Newirth, Alex / AFL-CIO Plumbers / Labor	Ex	Mazen M. Amer	A
Petrowitsch, Rudy / ASSE	P	Tom C. Cottreau	A
Schlieve, Dale / WI Soc. of Prof. Designers	P	Willie Gonwa	Ex
Shumann, Gene	P	Dan Jensen	P
Viola, Dave / PMI	Ex	Bob Pups	P
Zoulek, Joe / PHCC & MPA of WI	P	Mary Ann Lowndes	P
Guests		Jim Wolf	A
Luedeke, Jim / Wausau Concrete	P		
Boldt, Jeff and Fulkerson, James / WEHA	P		
Baker, Mark	P		
Pfender, John / DNR	P		

P = present; A = absent; Ex = excused, notified staff as being unable to attend; Alt. = alternate sent.

1. Welcome, Introductions, Announcements and Review of Agenda: In the absence of the chair Tom Boehnen, Gene Shumann opened the meeting at 9:10 a.m.; there were no announced changes to the agenda. Self-introductions of attendees were made at this time. Tom Boehnen, chair, arrived at 9:20 a.m. and presided over the remainder of the meeting.

2. Period for Public Comment: None given.

3. Approval of Progress Report of 12/18/03: **MOTION** by Zoulek/ Petrowitsch to accept the progress report with the correction of the meeting date. Passed.

4. Comments on Public Hearing Draft, ss. Comm 82.35 & 82.365: Docken provided an overview of the testimony and comments received on the proposed rules; MacCubbin gave a brief overview of the next steps and timeline with regard to rulemaking process. At this time the rules are expected to be effective December 1, 2004, if they are submitted to the Legislative no later than September 1 (in an election year) and no hearing by a legislative committee is held.

Docken then provided each the opportunity to present comments on the draft rules.

- a) John Pfender, WDNR was in attendance and commented on the following issues of concern from DNR staff.
- Table 82.70-1, line 7. Concern with the phrase for oil and grease having 'no visible sheen' as ch. NR 151 did not go to this level of performance, but used four concepts without conditions or use of an established percentage.

- Fecal coliforms: Concern with note on fecal coliforms as these are very variable for commercial rooftops/. Some have been mentioned as having > 1000 cfu/100 mL and is unsure how 200 cfu/mL could be reached, particularly with rooftops having a gravel surface. Docken asked if the footnote "c" making this standard not longer applying to rooftops, would be of issue then?
- Total suspended solids (TSS): Concern with the level for 150 mg/L of TSS would then not require any pre-treatment. DNR would prefer 50-60 mg/L TSS. They are still unsure of the performance of new treatment devices, but this level would not make pre-treatment so expensive that it would not be a chosen option. Pfender would like to avoid what one agency is allowing and a violation by another agency. It is also important if the number given is a geometric mean or median and found in data for the State of Wisconsin. A question was asked if pre-treatment was always a device like Stormceptor? No, pre-treatment could consist of a physical natural item, like grass filter strip, etc. If an approved device is used, would the submitter need to provide where the item was found, as in a specific manual? (Commerce staff, Glenn Schluter, joined the group to provide more information on the use of median or geometric mean.)
- Consistency with ch. NR 151 and Comm 82.36-82.365: There appears a discrepancy in the separation distance between the bottom of a device and high groundwater, for example. Chapter NR 151 requires a 5-foot separation; he asked then where in ch. Comm 82 is the distance listed? Docken noted that in Table 82.70. this allows pre-treatment to meet infiltration. It was then asked how the conflict (between the agencies) could be resolved? For example, DNR could not allow credit for pretreatment, but Commerce would be telling submitters otherwise. Can Commerce ask DNR for an interpretation that the 5-foot and 3-foot can be changed if pre-treatment is provided? It was then mentioned that perhaps the agencies would entry into an MOU; Docken and Pfender will work on this.

MOTION by Schlieve / Biesek that the standard of one-foot separation for rooftop quality (runoff) be a MOU between the two agencies, DNR/Commerce. Motion passed. The Council feels comfortable with the separation distances in the rule, Table 82.70. **Jean will draft a letter to Kimberly from the council requesting that the two agencies work together on this issue and resolve it via an MOU if possible.**

In summary, the DNR staff present reported that their agency has no other objections to the rules as proposed.

b) Other comments from members/attendees:

- Table 82.365-4, see Docken's comments in 20a, 20b, and 20c. Because DNR does not have a separation distance for stormwater in ch. NR 811 or 812, this was the reason the Commerce added to their proposed rules.
- Table 82.70-1 regarding line 8. surface or spray irrigation. The chlorine limit listed was deleted and the fecal limit assumes no pretreatment for roof top runoff. Parking lot runoff would still require pre-treatment.
- Table 82.70-1, regarding line 9. chlorine levels. DHFS noted that too much chlorine was not desirable.
- CST site and soil evaluations. Docken noted that the section in ch. Comm 85 is proposed for revision to allow CSTs as well as professional soil scientists, under ch. GHSS 4, Professional Soil Scientist License, to conduct this work. The proposed form for use in reporting the soil evaluation will be revised to reflect this addition.
- Vent termination > 1" above the floor. The staff questioned the point of vent being allowed to be in the building, but the vent from a trap located directly beside the sump would be required to be vented outside the building. An inconsistency exists that will be addressed in future discussions.
- Infiltration plans. It was asked what will people need to comply with before the rules are effective. Docken noted that there are policies on the Commerce webpage for use.
- Table 82.70-1 regarding line 6. What does and does not apply for once through cooling water? What about reuse? The table was revised to address concerns.
- Comm 82.31 (14)(a). Docken circulated 4 pages of a change regarding the vent stack vs. stack vent issue. It was determined that the Appendix should include a sketch and the definition may need revision.
- Comm 81.01 (59m) and (59s) regarding combination water mains and fire service. These new definitions will be added; it was asked about testing requirements. Bob Pupp is looking into the requirements and the draft will include notes that reflect the requirements in the NFPA standards.

- Comm 82.21 (1)(d) 5. Docken noted the proposed change in the exceptions in the standard NFPA 13D (which was updated) and the references therein had to be changed.
- Comm 82.50 options for fail-safe. Jim Fulkerson, WEHA, asked about the fail safe options for Legionella in hospital settings. He questioned the chlorination levels and the decontamination of hot water systems at 140 vs. 170 degrees F.

5. Comments of Draft Repeal and Recreation of Ch. Comm 82 Appendix: Docken circulated a draft copy of the complete revision of ch. Comm 82 Appendix. She noted that much work was done by Jim Wehinger, Herman Delfosse, Jean MacCubbin and herself. The plan is to have this section complete and ready for publication at time of the rules are adopted. **It was noted that this draft could be the subject of a meeting in September.**

6. Commerce Update: Docken provided the following report.

- a) She thanked the Council for their work over time and that rule revision, although taken longer than planned, it is a giant leap into the stormwater and reuse areas. The few comments received at public hearing are a testament of the work that the Council conducted, she added. She wanted to personally thank each for their time and carry that acknowledgement from the department and the plumbing industry.
- b) Plan review daily.doc. Miller reminded folks to check the commerce webpage (<http://commerce.wi.gov/>) regarding the availability of the next plan review appointment in each Commerce office.
- c) Comm 5 Commercial Plumbing Inspection. Docken gave the details on the rule regarding the inspection of commercial plumbing by municipalities and the changes allowed at the municipal level. She noted that there is a window to apply with a signoff that 50 commercial inspections had been conducted. Some mentioned that they have previously seen some plumbing installations that had been signed off as approved, and they saw many violations. Docken noted that staff are working on the exam to accompany this new credential. There may be questions pulled from the MP exam database, but no design related questions.
- d) Advanced MP. Docken noted that a take home exam is being considered.

7. Next Meeting(s) and Proposed Agenda: The next meeting was scheduled for:
Friday, September 10, 2004.

- Review draft Appendix for ch. Comm 82.
- Status of rule revisions.

8. Adjournment: The meeting adjourned at 2:20 p.m. on a motion by Zoulek / Schlieve.

Submitted by: Jean MacCubbin, Code Consultant to the Council. [This progress is subject to approval at a future Council meeting.]